

CONSENT AGENDA

March 23, 2009

A. APPROVAL OF MINUTES

**1. SUBJECT: APPROVAL OF MINUTES
DATED JANUARY 12 AND JANUARY 20, 2009**

ISSUE/PURPOSE: The above listed minutes are before the Board for approval. See TAB **D**.

B. APPROPRIATIONS AND TRANSFERS

**1. SUBJECT: CLERK OF CIRCUIT COURT
TECHNOLOGY TRUST FUND**

**A-FY-09-
CLERK OF CIRCUIT COURT
TECHNOLOGY TRUST FUND**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2009, for the function and in the amount as follows:

250 Clerk of Circuit Court	\$6,128
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
02250-423100 Shared Expenses	\$6,128

Said resolution appropriates Technology Trust fund monies to cover the cost of computer equipment.

ISSUE/PURPOSE: Said resolution appropriates Technology Trust fund monies to cover the cost of computer equipment.

2. SUBJECT: COMMONWEALTH'S ATTORNEY

**A-FY-09-
COMMONWEALTH'S ATTORNEY
FORFEITED ASSET SHARING PROGRAM**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2009 for the function and in the amount as follows:

220	Commonwealth's Attorney	\$383
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
419104	Confiscations
	\$383

Said resolution appropriates monies received in the Forfeited Asset Sharing Program for use by the Commonwealth's Attorney's office.

ISSUE/PURPOSE: Said resolution appropriates monies received from cases investigated by the Montgomery County Drug Task Force and prosecuted by the Commonwealth Attorney's office as a participant of the Department of Criminal Justice Services' Forfeited Asset Sharing program. These funds must be used for law enforcement purposes only and may not be used to supplant existing funding.

3. SUBJECT: SHERIFF – RECOVERED COSTS

**A-FY-09-
SHERIFF
RECOVERED COSTS**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2009, for the function and in the amount as follows:

320	Sheriff – County	\$1,239
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

419108 Recovered Costs \$1,239

Said resolution appropriates recovered costs for use by the Sheriff's department.

ISSUE/PURPOSE: Appropriates funds from overtime for security, refunds and restitutions.

Recovered Costs overtime for security	\$ 814
Recovered Costs restitution	225
Recovered Costs refund	<u>200</u>
Total	\$1,239

4. **SUBJECT:** **PUBLIC SERVICE AUTHORITY - TRANSFER FROM GENERAL CONTINGENCIES (Balance in General Contingencies before this Resolution is \$325,400)**

**A-FY-09-
PUBLIC SERVICE AUTHORITY
TRANSFER FROM GENERAL CONTINGENCIES**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

FROM:

950 General Contingencies (\$14,000)

TO:

890 Public Service Authority \$14,000

Said resolution transfers appropriated funds from General Contingencies to the Public Service Authority to provide funds for the fire hydrant maintenance program.

ISSUE/PURPOSE: This resolution transfers \$14,000 from general contingencies to provide funds necessary to cover the cost of the fire hydrant maintenance program.

JUSTIFICATION: The Public Service Authority fee for fire hydrant maintenance is \$35.00 per hydrant. Estimating 400 hydrants would equal \$14,000 for maintenance costs for FY 09. Funding is included in the FY 10 budget to cover these costs for next year.

C. FINAL PLAT

1. SUBJECT: FINAL PLAT – HS TEJAS

**R-FY-09-
FINAL SUBDIVISION PLAT
H.S. TEJAS, LTD. MAJOR SUBDIVISION**

WHEREAS, HS Tejas, LTD., owns land lying and being in the County of Montgomery designated as Tax Map Parcel 33-(A)-6 (Parcel ID # 002853) on the tax maps of Montgomery County, Virginia and proposes a major subdivision consisting of eleven (11) lots located along Reese Mountain Road; and

WHEREAS, HS Tejas, LTD. requested permission from the Board of Supervisors to subdivide the Property using Reese Mountain Road, a private street, for access to the public street as provided for in Section 8-152 of the Montgomery County Subdivision Ordinance; and

WHEREAS, The Board of Supervisors approved the use of private streets to serve this subdivision on September 8, 2008 (R-FY-09-31) with seven (7) conditions related to its development; and

WHEREAS, This major subdivision by H.S. Tejas, LTD. has been approved by the Virginia Department of Health for on-site sewage disposal systems to serve each new lot.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia does hereby approve the Final Plat of Major Subdivision of a portion of tax parcel 33-(A)-6 for HS Tejas, LTD., (Gay and Neel, Inc. Job No. 1703.1 dated 03/05/09), Shawsville Magisterial District, including (1) Road Maintenance Agreement, (2) Notice to all Purchasers Agreement, (3) Declaration of Covenants, Conditions and Restrictions.

FURTHER, The Subdivision Agent and County Engineer are hereby authorized to sign said plat for recordation.

ISSUE/PURPOSE: Approval and authorization for the Subdivision Agent and County Engineer to sign Final Plat on behalf of the County.

JUSTIFICATION: The Board of Supervisors approved the use of private streets for this subdivision on September 8, 2008. At their March 11, 2009, the Planning Commission approved the final plat for the H.S. Tejas, LTD. request by a vote of 6-1 (Moore opposed, Seitz absent). See **TAB E** for a copy of the final plat.

D. ROAD MATTERS

**1. SUBJECT: ADDITION TO THE SECONDARY
SYSTEM OF STATE HIGHWAYS**

**R-FY-09
ADDITION TO THE SECONDARY
SYSTEM OF STATE HIGHWAYS
SCENIC DRIVE (SR 1082) AND DIVINE DRIVE (SR 1083)**

WHEREAS, The streets described below are shown on a plat in the Clerk's Office of the Circuit Court of Montgomery County; and

WHEREAS, The representative for the Virginia Department of Transportation has advised the Montgomery County Board of Supervisors that the streets meet the requirement established by the Virginia Department of Transportation's Subdivision Street Requirements.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia requests the Virginia Department of Transportation to add the following streets to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia and the Department's Subdivision Street Requirements, after receiving a copy of this resolution and all outstanding fees and documents required of the developer:

**ADDITION:
Meadows of Fairview Subdivision**

<u>Name of Street:</u>	<u>Length</u>
► Scenic Drive, State Route Number 1082	
• From: Route 669 Fairview Church Drive To: Route 1083 Divine Drive, Recordation Reference: PB 23 PG 418 Right of Way width = 50 feet	0.08 miles

► **Divine Drive, State Route Number 1083**

- From: Route 1082 Scenic Drive
To: cul-de-sac, 0.05 miles.
Recordation Reference: PB 23 PG 418
Right of Way width = 50 feet

► **Divine Drive, State Route Number 1083**

- From: Route 1082 Scenic Drive
To: cul-de-sac, 0.07 miles.
Recordation Reference: PB 23 PG 418
Right of Way width = 50 feet

BE IT FURTHER RESOLVED, The Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills, and drainage.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.

ISSUE/PURPOSE: Resolution requesting VDOT to add Divine Drive (SR 1082) and Scenic Drive (SR 1083) to the Secondary System of State Highways. VDOT has reported this road meets all the requirements. See TAB **F** for a copy of a map showing the location of these streets.

E. APPOINTMENTS

**1. SUBJECT: ECONOMIC DEVELOPMENT
COMMISSION (MONTGOMERY REGIONAL)
Virginia Tech Representative**

**R-FY-09-
APPOINTMENT
ECONOMIC DEVELOPMENT COMMISSION
(MONTGOMERY REGIONAL)
VIRGINIA TECH REPRESENTATIVE**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Joe W. Meredith** as Virginia Tech's representative to the Montgomery Regional Economic Development Commission effective March 24, 2009 and expiring March 23, 2012.

JUSTIFICATION: See TAB **G** for letter of recommendation from Charles Steger, President of Virginia Tech.